

Appl. No. 09/843,325
Amdt. dated March 2, 2005
Reply to Office action of September 3, 2004

REMARKS

The Office Action's indication that claims 5-7, 10-19 and 24-30 are allowed is noted with appreciation. The Office Action's indicated that claims 1-3 would be allowable if Claim 1 was amended to clarify the language pertaining to the spring force used in those claims. As suggested by the Office Action, paragraph 3, the language "the one or more springs" has been substituted for "spring bias". Applicants submit that this is not a substantive change in the claims, and the rejection of those claims under 35 U.S.C. §112, ¶2 should be withdrawn. Applicants also have amended claims 6 and 7 to correct the informalities noted in paragraph 1 of the Office Action.

Claim 8 stands rejected under 35 U.S.C. 102(b) as anticipated by JP 60-065945 to Minoru. Applicants respectfully submit that the cited disclosure of Minoru cannot anticipate claim 8.

The abstract of Minoru, however, expressly states that "If the cam chain becomes loose and moved, ***the arm member 12 rotates due to the pressure of the coil spring. Thereby, the screw member is moved in the direction of D, the volume of the hollow chamber is increased, and a pressurized oil flows into the hollow chamber 30 through a check valve 17.***" Thus, Applicants respectfully submit that the Minoru device does not permit the flow of oil into its hollow chamber until ***after*** the chamber volume is increased by the spring of Minoru's rotation of the screw member. Contrary to the suggestion in paragraph 8 of the Office action, Minoru does not suggest that the pressure of its oil is intended to or is capable of forcing an increase in volume of the Minoru hollow chamber by forcing the screw member to rotate and cause the arm member 12 to contact Minoru's chain.

Similarly, there is no suggestion in Minoru that the oil flow takes up slack in the chain and that the supply of oil is at a sufficiently high pressure to overcome chain forces that are too great for the Minoru spring, as suggested in paragraph 8 of the Office action.

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For the reasons set forth above, the Applicants respectfully submits that Claims 1-3, 5-7, 10-19 and 24-30 are in condition for allowance. Applicants further request reconsideration and allowance of claim 8. Please charge any fees required by this amendment to Deposit Account No. 06-1135.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY

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